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C O N F I D E N T I A L SECTION 01 OF 02 MEXICO 002792

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SUBJECT: SENATE CONFIRMS ATTORNEY GENERAL

REF: A. MEXICO 002759
[1](#)B. CIUDAD JUAREZ 000475

Classified By: Acting Political Minister Counselor James P. Merz.
Reason: 1.4 (b),(d).

[1](#)1. (C) Summary. The Senate confirmed new Attorney General Arturo Chavez Chavez on September 24 after what clearly were backroom negotiations between the Calderon government and the PRI. The ratification process has been a win-win for the PRI, and in particular Senate leader Manlio Fabio Beltrones, who secured some quid pro quo from the GOM, while demonstrating that his party is a mature political actor. The United States will continue to have a partner in PGR who values a cooperative and productive relationship with USG counterparts, even if Chavez may not be the leader to realize a thorough transformation of his office or shepherd through critical judicial reform measures. End Summary.

Chavez Sails Through Final Senate Vote

[1](#)2. (C) The Senate confirmed new Attorney General (PGR) Arturo Chavez Chavez on September 24 with 75 votes in favor, 27 against, and one abstention, belying the contentious bickering between the major parties in the wake of his nomination and tough confirmation hearings on September 21. In addition to support from his National Action Party (PAN) allies, a number of Revolutionary Institutional Party (PRI) and Green Party (PVEM) senators also ultimately voted in Chavez's favor. The Revolutionary Democratic Party (PRD) and Workers Party (PT) opposed his ratification until the end, with the PRD citing his inattention to Ciudad Juarez's femicides and his lack of prestige domestically and internationally.
The Political Horse-Trading

[1](#)3. (C) President Calderon secured PRI support for Chavez's ratification through PRI Senate leader Manlio Fabio Beltrones as a result of quid pro quo backroom negotiations. It is unclear whether this was done on the front-end of the process, which would mean the public party debates since Chavez's nomination have largely been for political theater. More likely, the deal was cut in the days just before the vote. Beltrones was vague in a conversation with the Ambassador last week on Chavez's prospects for confirmation and offered no firm promise of PRI's endorsement (ref a). PRI Secretary General and high-profile senator Jesus Murillo Karam said following the vote that the party's move was a nod to the spirit of the law -- which says the President has the

right to name and remove the Attorney General -- rather than wholesale backing of Calderon's selection. While the details of any potential deal have yet to be revealed, one theory floated by a high-level National Human Rights Commission (CNDH) official close to Beltrones is that Beltrones consented to the ratification in exchange for PRI's securing its candidate for the next CNDH president, who is due for replacement on November 16. The CNDH presidency would be useful for the PRI to attack the GOM's human rights record from a position that is not technically or directly party-affiliated. It would also spare PRI leaders, many of whom as governors find themselves vulnerable to human rights criticism, from overly critical attacks. The new CNDH president's term would last through the 2012 presidential elections.

¶4. (C) The ratification process has been a win-win for the PRI with the party playing its cards well. It used the process to improve its historically questionable human rights credentials by targeting Chavez's weak human rights performance as Chihuahua Attorney General. Moreover, the PRI -- and in particular, Beltrones -- now have an important "chit" in with the GOM in return for their support for an Attorney General who is already vulnerable to criticism. The PRI's post-vote public commentary has put the onus on Calderon for his choice and minimized its own responsibility for his ratification, which will allow the party more leeway to criticize Chavez's future performance and past as the PRI finds it convenient for political advantage. Finally, the PRI is able to once again bill itself as a responsible player, capable of mature political exchange. As Karam

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claimed, the PRI has demonstrated that it is made of true "men of the State."

Comment

¶5. (C) With Chavez's confirmation, Mexico has a new Attorney General with long-time PAN credentials and adequate legal experience that will serve the Calderon administration's purposes (ref b). While questions have been raised about his treatment of some organized crime investigations and his inability to tackle the problem of femicides while Chihuahua Attorney General, core U.S. legal and law enforcement interests should be safe. We fully expect to maintain a cooperative and productive rapport with PGR given Calderon's recognition of the importance of our bilateral relationship and Chavez's own openness to working with us in Chihuahua. What Mexico does not have is a dynamic Attorney General capable of and committed to transforming the PGR apparatus, pressing aggressively the difficult task of judicial reform, and overcoming the historical divide between PGR and SSP. The PRI and PRD will try to take advantage of any misstep to attack Calderon for making cabinet choices based on party and personal loyalty vice sterling qualifications. Depending on the gaffe and the people involved, the PRI could also call into question the President's commitment to human rights. The coming weeks may provide more insight into what Calderon gave up to the PRI in order to see Chavez in the Attorney General's Office.

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